



Kahn Gauthier Swick, LLC (“KGS”) is a law firm with offices in New Orleans and New York ([www.kgscounsel.com](http://www.kgscounsel.com)). KGS focuses predominantly on class action litigation, and practices mainly in the fields of securities fraud, consumer fraud, mass tort litigation and securities transactions. Since its inception KGS has recovered tens of millions of dollars for the plaintiffs it represents. KGS was formed in 2000, as a partnership between established class action attorneys.

KGS’s lawyers have significant experience litigating complex securities fraud class actions. Among other cases, KGS has been appointed to leadership roles in the following securities fraud cases:

<i>Loudeye Corp. Lead Counsel</i>	<i>USDC W.D. Washington</i>
<i>Xethanol Corp. Lead Counsel</i>	<i>USDC Southern Dist. NY</i>
<i>Pixelplus Co. Ltd. Co-Lead Counsel</i>	<i>USDC Southern Dist. NY</i>
<i>Terayon Comm. Systems Inc. Co-Lead Counsel</i>	<i>USDC N.D. California – San. Fran.</i>
<i>Witness Systems Inc. Co-Lead Counsel</i>	<i>USDC N.D. Georgia</i>
<i>Whitney Information Network Lead Counsel</i>	<i>USDC M.D. Florida</i>
<i>Merck, Inc Liaison Counsel</i>	<i>USDC E.D. Louisiana currently part of MDL 1658</i>

*McDermott, Inc.*  
*Liaison Counsel*

*USDC E.D. Louisiana*

*Orthodontic Care Associates*  
*Liaison Counsel*

*USDC E.D. Louisiana*

**Lawyers**

***Partners***

***Lewis S. Kahn***

Lewis Kahn serves as the managing partner of KGS. Along with the representation of thousands of plaintiffs in class action and mass tort cases filed throughout the United States, Mr. Kahn has been appointed to various leadership positions in federal class action litigation. Among other prestigious appointments, Mr. Kahn served as a member of the Plaintiffs' Steering Committee in MDL 1481, *In Re: Meridia Products Liability Litigation*, appointed by Judge James S. Gwin in the United States District Court for the Northern District of Ohio, Eastern District. Mr. Kahn also served as one of five plaintiffs' counsel that secured a \$20.5 million securities fraud settlement in *Lasky v. Brown, et al.* (United Companies Securities Litigation), Case No. 99-1035-D-M2 (M.D. La.).

Mr. Kahn is often turned to by the media for expert commentary in the field of class action litigation. Mr. Kahn has been profiled in the *New York Times*, *Washington Post*, *Boston Globe*, and many other media outlets, and has provided expert commentary on CNNfn surrounding the Enron securities fraud class action litigation. Mr. Kahn holds a Bachelor's degree from New York University and received a Juris Doctor from Tulane Law School in 1994. He is a member in good standing of the Louisiana State Bar

Association since 1995, the American Association of Trial Lawyers, and the Federal Bars for the Eastern, Middle and Western Districts of Louisiana.

***Michael A. Swick***

Michael Swick heads KGS's Securities Litigation Group. Prior to joining KGS, Mr. Swick worked at several of the nation's leading securities class action law firms, including: both the East Coast and West Coast offices of Milberg Weiss Bershad Hynes & Lerach, LLP (now Lerach Coughlin Stoia Rudman Gellar & Robbins, LLP - CA, and Milberg Weiss Bershad & Schulman LLP - NYC), and the Connecticut firm of Scott + Scott, LLP.

Over the past decade of securities class action litigation, Mr. Swick has been instrumental in instituting litigation that has produced hundreds of millions of dollars of recoveries. Such actions include:

**\$140 Million Recovery.** *In re Sunbeam Securities Litigation*, No. 98-8258 (S.D. Fla). Michael Swick drafted one of the first filed actions against Sunbeam, where plaintiffs alleged that Sunbeam, its auditor, and its management engaged in a massive accounting fraud, culminating in the restatement of over three years of previously reported financial results. The Court approved a combined settlement of over \$140 million - - including \$110 million paid by Arthur Andersen, LLP, then Sunbeam's auditor. In connection with this settlement, Albert Dunlap, Sunbeam's former Chairman and CEO, personally contributed \$15 million.

**\$134 Million Recovery.** *In re Computer Associates Securities Litigation*, Nos. 98-CV-4839, 02-CV-1226 (TCP) (E.D.N.Y.), Michael Swick drafted and participated in the filing of one of the earliest and most comprehensive actions. This filing later resulted in a pretrial settlement of securities fraud charges valued at over \$134 million.

**\$600 Million Recovery.** *In re Lucent Technologies, Inc. Securities Litigation*, No. 00cv621 (AJL) (D.N.J.). This settlement provided \$600 million in compensation to aggrieved shareholders who purchased Lucent stock between Oct. 1999 and Dec. 2000.

Mr. Swick received a Juris Doctor from Tulane Law School in 1994. Further, Mr. Swick received a Masters of Political Philosophy from Columbia University in 1989 and a B.A. in Philosophy and Political Science from State University of New York at Albany in 1988. Mr. Swick was admitted to the state Bar of New York in 1996.

***Kim E. Miller***

Kim E. Miller is a partner of Kahn Gauthier Swick, LLC, and specializes in securities, consumer, and commercial class and derivative litigation. Prior to joining KGS in 2006, Ms. Miller was a partner of Milberg Weiss Bershad & Schulman LLP (“MWBS”) in New York City. While she spent most of her legal career at MWBS and its predecessor, Milberg Weiss Bershad Hynes & Lerach LLP, Ms. Miller also spent two years as a securities litigator on the defense side while at Gray Cary Ware & Friedenrich LLP in Palo Alto, California.

Over the course of her career, Ms. Miller has represented tens of thousands of wronged investors and consumers in class actions filed throughout the country. As a partner at MWBS, she acted as one of the lead counsel in more than 25 cases involving allegations of improper directed brokerage arrangements and excessive charges in mutual fund cases brought pursuant to the 1934 Securities Exchange Act and/or the Investment Company Act of 1940. Ms. Miller was also one of the MWBS partners involved in the mutual funds late trading/market timing litigation, in which MWBS served as Co-Chair of plaintiffs’ steering committee overseeing all class and derivative litigation involving more than 18 mutual fund families.

During her tenure at MWBS, Ms. Miller was involved in a variety of cases in which large settlements were reached, including *Spahn v. Edward D. Jones & Co., L.P.*,

04-cv-00086-HEA (E.D. Mo.) (settlement value of \$127.5M); *In re StarLink Corn Products Liability Litigation*, MDL No. 1403 (N.D. Ill.)((\$110M recovery); and *In re American Express Financial Advisors, Inc. Sec. Litig.*, 1:04-cv-01773-DAB (S.D.N.Y.)((\$100M recovery). Ms. Miller was also a member of the successful trial team that obtained a federal jury verdict in favor of plaintiffs in a case involving the aiding and abetting of a mortgage company's fraudulent lending practices. *Austin v. Lehman Commercial Paper, Inc.*, SA, CV 01-111 (DOC)(C.D. Cal.).

Ms. Miller graduated with honors from Stanford University in 1992 with a double major in English and Psychology. She earned her J.D. degree from Cornell Law School, *cum laude*, in 1995. While at Cornell, Ms. Miller was the Co-Chair of the Women's Law Symposium, Bench Brief Editor of the Moot Court Board, and a member of the Board of Editors of the Cornell Journal of Law & Public Policy. She is admitted to practice in the States of California and New York and before the United States District Courts for the Southern and Eastern Districts of New York and the Northern, Southern, and Central Districts of California. Her *pro bono* work includes representing families of 9/11 victims at *In re September 11 Victim Compensation Fund* hearings. Ms. Miller has also served as a fundraiser for the New York Legal Aid Society.

***Kevin L. Oufnac***

Kevin Oufnac joined Kahn Gauthier Swick, LLC in 2006. Prior to becoming a partner in KGS, Mr. Oufnac spent many years litigating cases throughout the United States with several of the nation's most recognized law firms, including Ness, Motley, Loadholt, Richardson, & Poole, PA, Richardson, Patrick, Westbrook & Brickman, LLC, and Motley Rice, LLC. In addition to individual cases, some of the class actions and

other complex litigation in which Mr. Oufnac has participated includes *Ruff v. Parex, Inc.*, No. 96-0059 (Superior Court, County of New Hanover, N.C.), *In Re: Masonite Corp. Hardboard Siding Products Liability Litigation*, MDL 1098 (E.D. La.), *In Re: Silicon Gel Breast Implant Products Liability Litigation*, MDL 926 (N.D.Ala.), *In Re: Orthopedic Bone Screw Products Liability Litigation*, MDL 1014 (E.D. Pa.), *In Re: Diet Drug Products Liability Litigation*, MDL 1203 (E.D. Pa.), *In Re: Rezulin Products Liability Litigation*, MDL 1348 (S.D.N.Y.), *In Re: Community Bank of Northern Virginia and Guaranty National Bank of Tallahassee Second Mortgage Loan Litigation*, No. 03-0425 (W.D. Pa.) (which resulted in a settlement of \$33 million to the class members), and *Dundon v. U.S. Bank*, No. 01-408 (S.D. Ill.), (which resulted in a settlement of \$26 million to the class members).

Mr. Oufnac received his Juris Doctorate in 1995 from the Loyola University School of Law. He is a member of the Louisiana State Bar Association, the South Carolina State Bar Association, and the Association of Trial Lawyers of America. Mr. Oufnac has also been admitted to the United States Court of Appeals for the Fourth Circuit, and the United States District Courts for the Eastern District of Michigan, the Eastern District of Louisiana, and the District of South Carolina.

### ***Of Counsel***

#### ***Glen Woods***

Glen Woods joined Kahn Gauthier Swick, LLC as Of Counsel in 2006. Mr. Woods has tried over two hundred business and tort cases in Louisiana state and federal court. Mr. Woods achieved a \$346 million verdict in 1997 in a breach of contract case

against Entergy, and a \$55 million verdict against ADP for its involvement in the New Orleans Fairgrounds fire years earlier. Mr. Woods began his legal career in 1985 as an Assistant District Attorney to Harry Connick Sr., and was appointed Special Prosecutor responsible for capital homicides. Mr. Woods is admitted to practice in all courts in the State of Louisiana, the Eastern District of the United States District Court, and the United States Court of Appeals for the Fifth Circuit. Mr. Woods received his Juris Doctorate from Southern University in 1984 and received a Bachelor of Arts in Sociology from the University of Southwestern Louisiana in 1979.

#### *Associates*

##### *Catherine R. Gauthier*

Catherine R. Gauthier holds a Bachelor of Arts degree from the University of Louisiana at Lafayette, having completed her studies in 2000. She received a Juris Doctor from Loyola University School of Law, New Orleans and was admitted to practice law in the state of Louisiana in 2005. She is a member of the Louisiana State Bar Association, the American Bar Association and the American Association of Trial Lawyers.

##### *George S. Mentz*

George Mentz is licensed to practice law in Louisiana and the Federal Courts of the EDLA and is a member of the Tax, Trusts & Estates & International Law Sections of the Bar. Mr. Mentz is chiefly a consultant and professor in the areas of ethics, consumer and victims rights, international law, business law, and financial law. Mentz has recently been featured or quoted in the Wall Street Journal, Financial Times Asia, China Daily, The Arab Times, The Hindu National (India), and The El Norte Mexico Newspapers. Mr.

Mentz has written and published in multiple venues around the world in Radio, TV, magazines, web-casts, and journals and has published over 22 books and training manuals.

Prof. Mentz serves on several boards and advisory committees in the US, Europe, and Asia. Mr. Mentz is the first person in the US to be "Quad Designated" with an earned JD, MBA, certified financial consultant credential and financial planner license. Mr. Mentz has provided specialized consulting over the years as to valuation and quantum damages, and has testified and been accepted as an expert in NASD securities arbitration hearings. Mr. Mentz was recently appointed to the Institutional Advisory Board of the Global Finance Forum in Switzerland, the ERISA Fiduciary Guild Advisory Board, The AML Anti Money Laundering Committee for ICA USA, and was recently re-elected to the Financial Training and Ethics Board for AAFM Worldwide for 2007. Prof. Mentz has trained thousands of people in the areas of law, finance, ethics, tax, corporate governance, investments, and wealth management, and has taught over 100 law, business, and ethics courses at the graduate and undergraduate level over the last 10 years.

Mr. Mentz earned his Juris Doctorate from Loyola University School of Law. Mentz was Chairman and Faculty Advisor for the Tax and Estate Planning Law Review at Loyola University. Further, Mr. Mentz holds an MBA in International Business and Financial Planning from Loyola, as well as a B.A. with a focus on International Politics.

***Sarah Catherine Boone***

Sarah Catherine Boone holds a Bachelor of Arts in Philosophy from the University of Southern California and a Master of Fine Arts in Writing from the Master of Professional Writing Program at USC. She received her Juris Doctor from Tulane Law



School in New Orleans and was admitted to practice law in the state of Montana in 2007. She is a member of the Montana State Bar Association and she has been admitted to the United States District Court for the District of Montana.

In addition to its lawyers, KGS employs multiple paralegals and investigators, providing the firm the resources necessary to successfully prosecute complex litigation. Moreover, KGS' foremost characteristic has been the ability to work cooperatively with the Court and with other attorneys as evidenced by its successful track record.